

DOCUMENT RESUME

ED 412 843

HE 030 634

AUTHOR Devlin, Maureen E.
TITLE Issues of Athletics Certification for NCAA Division I Members. AGB Occasional Paper No. 16.
INSTITUTION Association of Governing Boards of Universities and Colleges, Washington, DC.
PUB DATE 1993-00-00
NOTE 17p.
AVAILABLE FROM Association of Governing Boards of Universities and Colleges, One Dupont Circle, Suite 400, Washington, DC 20036 (members, \$4.95; nonmembers, \$9.95; quantity discounts).
PUB TYPE Reports - Evaluative (142)
EDRS PRICE EDRS Price MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS Academic Achievement; *Accreditation (Institutions); Admission Criteria; Athletics; *Certification; *College Athletics; Compliance (Legal); Educational Finance; Governance; Higher Education; Intercollegiate Cooperation; *Peer Evaluation; Policy Formation; *Self Evaluation (Groups); Standards
IDENTIFIERS Graduation Rates; Knight Report on Intercollegiate Athletics; *National Collegiate Athletic Association

ABSTRACT

This paper addresses the concept of certification for intercollegiate athletic departments with emphasis on the campus self-study component. It notes the goal of certification is to make the athlete as indistinguishable as possible from the rest of the student body. The Knight Commission has endorsed the certification concept if student athletes are compared, by sport, with the rest of the student body in terms of admission requirements and procedures, academic progress, and graduation rates. The National Collegiate Athletic Association (NCAA) Division I institutions accepted a certification process which went into effect in 1993. The importance of campus wide self-study in the certification process is emphasized and reviewed. The major topics in the self-study are: (1) governance and commitment to rules compliance; (2) academic integrity; (3) financial integrity; and (4) commitment to equity. Completion of the self-study is followed by peer review and scheduling, and certification decisions; these two areas processes are described. A discussion of the certification process follows. The appendix presents the Knight Commission statement of principles for higher education institutions. (LEE)

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Association of Governing Boards
of Universities and Colleges



**Issues of
Athletics Certification for
NCAA Division I Members**

By Maureen E. Devlin

AGB OCCASIONAL PAPER NO. 16

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PART I: BACKGROUND

In his annual state of the association address to the 1990 NCAA Convention, executive director Richard D. Schultz outlined a new model for the conduct of intercollegiate athletics. His call for change, rooted in widely expressed negative views about college sports and the NCAA, urged the membership to embrace the concept of certification of athletics departments. Certification, Schultz said, would involve comparing an institution's athletes and coaches with the rest of the student body and staff in a number of areas. His new model ultimately would strive to make the athlete as indistinguishable as possible from the rest of the student body.

The following year, in March 1991, the Knight Foundation Commission on Intercollegiate Athletics released its first report, "Keeping Faith with the Student-Athlete," in which it endorsed the certification concept. The Knight Commission maintained that college athletics was in such a state of low repute that independent authentication of the academic and financial integrity of each institution's athletics program was essential.

Of critical importance to the Knight Commission in its support of the concept was an assurance that a sound certification process would depend, in large measure, on a comparison of student-athletes, by sport, with the rest of the student body in terms of admission requirements and procedures, academic progress, and graduation rates. Equally important were plans to publicly identify institutions failing the certification process. The commission punctuated its report with a statement of ten principles, which it recommended as a vehicle for rigorous self-examination of sports programs. (The Knight Commission's Statement of Principles is an appendix to this paper.)

Meanwhile, the NCAA had launched a two-year pilot program, during which 36 institutions voluntarily field-tested a prototype format for certification. The NCAA's pilot program was found to be largely unworkable and generated serious reservations about the wisdom of such an effort. The effort proved cumbersome, having attempted to address seven major areas involving more than 200 detailed self-study questions, and lacked clearly articulated objectives. In response, the NCAA Council Subcommittee on Certification met numerous times and received written and

in-person comments from dozens of institutions and related organizations. The chair of the committee, Joseph Crowley, president of the University of Nevada-Reno and currently NCAA president, met twice with the Knight Commission to discuss implementation of the program.

The Knight Commission's recommendations to the committee centered on streamlining the process and incorporating the commission's "one-plus-three" model for the reform of college sports. The "one" in the model represents presidential control, to be directed toward the "three": academic integrity, financial integrity, and certification. The NCAA certification program was, in fact, simplified tremendously along those lines: The self-study focuses on four major areas, including governance and commitment to rules compliance, academic integrity, financial integrity, and commitment to equity.

In January 1993, legislation mandating certification for NCAA Division I institutions was sponsored by the NCAA Presidents Commission and Council and presented to the NCAA convention. The proposal was adopted overwhelmingly, receiving nearly 90 percent of the vote. It goes into effect this fall, beginning the first five-year cycle during which each Division I institution must be certified.

PART II: PURPOSE AND STRUCTURE

Why certification?

The central purpose of the certification program is "to validate the fundamental integrity of member institutions' athletics programs through a verified and evaluated institutional self-study." (NCAA Manual, Bylaw 23.01)

The self-study process, designed to involve campuswide participation, is intended to enhance understanding of intercollegiate athletics on the part of academic officials and departments and, concomitantly, to help move athletics into the mainstream of the academic flow and mission of the institution.

Further, outside verification of the self-study by peer-review teams will serve to enhance the public image of college sports. Increased public confidence in intercollegiate athletics, as well as tangible evidence of the ability of institutions to address problems effectively, is crucial to preventing further state and federal intervention in college sports.

Finally, the ultimate goal of certification is steady improvement of each institution's athletics program as it continually gathers the information necessary to build toward the next certification cycle and strives to achieve the goals stemming from its self-study.

The Self-Study

The heart of certification is the campuswide self-study. The self-study is designed to examine the fundamentals of institutional control and integrity by focusing on four basic areas: governance and commitment to rules compliance, academic integrity, financial integrity, and commitment to equity. Operating principles related to each area are codified in NCAA legislation; these principles set forth the standards by which institutions evaluate themselves and, likewise, formulate strategies for improvement. Later, the principles--as well as the institution's improvement plans--serve as the basis by which institutions will be judged through the peer-review process.

The institutional self-study is expected to begin approximately one year before a peer-review team is

scheduled to visit a campus. At that time, an NCAA staff member will help institutions initiate the process with an orientation visit, during which plans for the conduct of the self-study will be reviewed. The importance of presidential involvement at this stage cannot be overemphasized. Aside from the veracity of the self-study, of course, campuswide participation is the single most important characteristic peer-review teams will look for in evaluating institutional self-studies.

In forming self-study teams to steer the effort and address each of the four major topic areas, the president should ensure widespread campus representation on each team and should appoint each team's chair. (To help ensure balance, it is recommended that athletics department personnel not serve as committee chairs.) Presidents should select a diverse group to ensure that the self-study is not a product of any one group or department (i.e., the athletics department). Further, and perhaps most important, presidential involvement strengthens and lends authority to the self-study process. The use of outside consultants to assist in this start-up phase and facilitation of the self-study process itself is permissible, although an institution is responsible for generating the substance of the self-study report.

Major Topics in the Self-Study

*** Governance and Commitment to Rules Compliance**

The first order of business in the governance and compliance area is to confirm that the athletics department is operating within the spirit of its institution's mission statement, as well as within its own departmental mission. Additionally, this area encompasses two fundamental aspects of a certifiable athletics program: First, in regard to governance, the degree of presidential control of the athletics department and the level of presidential support by the board of trustees are crucial factors in assessing institutional control of athletics. A peer-review team will scrutinize the process by which major decisions regarding athletics are made, paying special attention to the roles of the board and the president in such decisions. The team may request minutes of board meetings, for example, for evaluation purposes. Booster group activities and the systems for controlling them also will be reviewed.

The second critical aspect of an athletics program concerns its overall environment in regard to compliance

with NCAA rules. Evidence of specific, written policies and procedures concerning rules compliance must be presented. These would include, for example, ongoing rules-education efforts and contract clauses stipulating compliance with NCAA rules as a condition of employment for athletics department personnel.

If a peer-review team discovers rules violations during its visit, it will report them to the institution and the NCAA Committee on Athletics Certification. Institutions will be expected to self-report these violations to the NCAA enforcement staff and will be judged accordingly. Additionally, any rules infractions cases heard before the NCAA Committee on Infractions could result in a referral to the certification committee for review and possible alteration of an institution's certification status.

* Academic Integrity

The main focus in the academic integrity area is to assess whether an institution's student-athletes are successfully integrated into the rest of the student body. Such assessment entails extensive data collection related to the admission and graduation of student-athletes. Institutions must gather most of this information for annual completion of the Graduation Rate Disclosure Form, mandated by the NCAA in 1990 in response to the Federal Student Right-to-Know Act.

Concerning admissions, the fundamental premise is that only student-athletes who may reasonably be expected to earn academic degrees should be admitted to the institution. Thus, data related to the level of special admissions for student-athletes versus the rest of the student body will be reviewed, as will the academic qualifications (test scores, high school grade-point averages) of freshmen student-athletes and the rest of the incoming class. Any differences found across these two groups must be analyzed and explained as part of the institutional self-study.

Graduation rates also will be compared across the student-athlete population and the rest of the student body. Any differences found not only must be analyzed and explained, they also must be addressed through specific plans for improvement by appropriate institutional authorities.

Finally, issues related to academic authority over student-athletes, academic support systems, and scheduling

conflicts between academics and athletics will be reviewed in detail.

* Financial Integrity

The major concern in this area is with financial controls over athletics department expenditures. Historically, presidents have enjoyed mixed success in maintaining institutional control over expenditures made for or in behalf of the athletics department. Consequently, the review team will examine systems for institutional approval of expenditures. Budget and audit procedures also will be checked for consistency with those followed by the institution generally.

Another key issue under the rubric of financial integrity is stability in terms of the athletics opportunities provided to students. Thus, the fiscal soundness of the athletics program will be studied, largely by reviewing the budgeting process and recent external audits, as required annually by NCAA legislation. Projected and actual revenues and expenditures will be compared to help shed light on this area.

* Commitment to Equity

Commitment to equity was not part of the original NCAA pilot certification program. However, given the increased attention to this issue over the past year or two, the NCAA recognized that its member institutions could not afford to ignore questions of racial and gender equity on their campuses.

Concerning gender equity, a steady and growing stream of suits have been filed recently against institutions for violations of Title IX, which prohibits discrimination in educational programs that receive federal funds, including athletics. Part of the reason is that the U.S. Supreme Court ruled in 1992 that monetary damages could be awarded for Title IX violations. Several plaintiffs have won recent Title IX lawsuits; one recently won a \$1.2 million judgment against her institution. Thus, to protect itself from costly litigation, it may be in the best interests of institutions to take a proactive approach to gender equity concerns.

This area of review is designed to help institutions do just that. Similar to the academic-integrity section, self-study concerning equity entails extensive data collection, including numbers of male and female participants and

dollars spent on scholarships, recruiting, and operations. Numbers and salaries of coaches also will be compared across sports.

Gender and racial issues are studied by analyzing the gender and ethnic composition of the student body, specific sports teams, and various levels of athletics department staff. The data is meant to help the institution assess its situation and plan for the future.

Student-athlete welfare also is considered an important component of this area of review. The institution must demonstrate its commitment to the fair treatment of athletes, as evidenced by the quality of educational enhancement programs (such as personal counseling and career guidance) and sport support services (such as sports medicine and equipment).

Peer Review and Scheduling

Once an institution completes the self-study, a peer-review team will visit each campus to evaluate the self-study process and verify the self-study report. Peer-review teams will be composed of three to five experienced individuals from Division I institutions, and an effort will be made to appoint a president or chancellor as chair of the teams whenever possible. All peer reviewers will receive formal training before being assigned to a team.

At first, the athletics community was very much concerned about the peer-review process. Athletics department officials were hesitant to allow outsiders to learn too much about their operations: The competitive nature of athletics fueled concerns that any advantages an institution might have over another would be lost through peer review. Yet, the alternative--to have NCAA staff members assess the self-studies--was less attractive.

In response to these concerns, institutions will be given the opportunity to review the list of potential peer-review team members for their institution and may suggest removal of any individual it deems inappropriate or unacceptable. Final composition of peer-review teams, however, will be determined by the NCAA Committee on Certification. An institution will know who is on its peer-review team several months before its evaluation visit. Additionally, one NCAA staff member will be assigned to each team. (Costs for the peer-review team's visit will be borne by the institution.)

This September, the NCAA will release its five-year schedule for certification of its Division I members. There are 301 NCAA Division I members; thus, approximately 60 will go through the program each of the next five years. Even for institutions first on the list--that is, those scheduled to begin the process this fall--the schedule provides at least one-year's advance notice of the peer-review team's evaluation visit.

Throughout the scheduling process, efforts were made to coordinate NCAA certification with the ten-year accreditation cycle also applicable to member institutions. In fact, a detailed agreement encompassing several additional areas (data collection, peer review, and reporting formats) was reached with the Southern Association, the jurisdiction comprising 37 percent of NCAA Division I members. A complete copy of that agreement is available from the NCAA compliance services staff.

Finally, concerning scheduling, if an institution experiences a major event, such as the appointment of a new president or athletics director, it may petition the certification committee for a revision of its schedule, although it is unlikely that delays longer than one year would be approved.

The self-study report should be submitted to the NCAA at least six weeks prior to the scheduled peer-review evaluation visit. Upon its submission, the peer-review team will conduct a preliminary analysis of the report, and the chair will decide whether to accept it. Assuming all is in order, the team will visit campus to conduct interviews, review records, tour facilities, and so forth to assess and verify the self-study. It is permissible to engage outside consultants to accompany the peer-review team on the campus visit, subject to the approval of the certification committee.

At the end of its visit, the peer-review team will conduct an informal exit meeting with the president (and perhaps additional institutional representatives) to discuss the proposed contents of the team's report. Soon thereafter, the report should be submitted to the Committee on Athletics Certification.

Every peer-review report will include the following:

1. An evaluation of the institution's self-study process as to openness, thoroughness, and breadth of participation.

2. An evaluation of the institution's adherence to the certification program's operating principles (delineated in NCAA legislation for each of the four major topic areas).

3. A summary of perceived relative strengths and weaknesses in the institution's athletics program.

4. An evaluation of the institution's plans for improvement.

5. A recommendation regarding the institution's certification status. (See NCAA Bylaw 33.7.2)

The president will receive a copy of the report, although it will not contain the peer reviewers' recommendation as to whether the institution should be certified. Within certain guidelines, an institution may choose to submit to the certification committee a written reaction to the report. The reaction may outline, for example, the institution's plans for corrective actions to remedy any deficiencies discovered by the peer-review team. Clearly, if an institution is aware of weaknesses discussed in the peer reviewers' report, it may be in its own best interests to submit a response to the committee.

Certification Decisions

The Committee on Athletics Certification will decide whether an institution should be certified. It will base its decision on the institution's self-study report and the peer-review team's report; additionally, the institution may have submitted a written response to the review team's report, in which case the peer-review team will have submitted a reaction as well. Finally, any information presented at hearings or in person before the committee also will be considered.

All certifications results will be made public. Institutions will be judged to be certified, certified with conditions, or not certified. Institutions certified with conditions or not certified have the opportunity to take certain corrective actions within a reasonable, specified period of time. The difference between the two categories is that in the former, institutions have been deemed to be in substantial conformity with certification's operating principles. In the latter case, they have not.

Another possible certification committee decision is to postpone action altogether. This would occur if the committee believes the self-study is inadequate to enable it to make an informed decision regarding certification status.

According to NCAA legislation, the need to take corrective action is meant to be treated as a "routine" aspect of the certification process. Whether in practice this will mean that few institutions will be certified without conditions on their first attempt remains to be seen. Institutions required to take corrective actions to be certified must do so within a specified period. Any institution failing to take appropriate action will be denied certification and placed in an NCAA restricted-membership category. Restricted members are ineligible for NCAA championships and postseason football games, and they lose certain voting privileges. Eligibility for revenue distribution from the NCAA's television contract also may be affected.

Finally, if at the end of a one-year restricted-membership period an institution still has failed to address specified problems, it will be reclassified as a corresponding member. Corresponding members receive NCAA publications and mailings but otherwise are not entitled to any membership privileges.

The appeals process for certification decisions is not yet fully established--for example, whether an institution will be permitted to appeal the committee's initial decision. It is clear, however, that an institution may request a hearing before the Committee on Athletics Certification upon notification that it is being placed into restricted or corresponding membership. Should the institution not be satisfied with that hearing, its last resort is to request an appeal before the Division I Steering Committee, composed of the 22 Division I representatives on the NCAA Council.

PART III: DISCUSSION

Thomas Hearn, president of Wake Forest University and a member of the Knight Commission on Intercollegiate Athletics, recently wrote a thoughtful essay on integrity in intercollegiate sports, in which he said:

The formal and literal observance of the rules has replaced ethical and moral judgement within the structure of the NCAA. The NCAA Manual offers a compelling illustration of the fact that one cannot codify ethical conduct, that judgements of right and wrong cannot be specified for any and all circumstances of conduct.

Ideally, institutions will seize the opportunity presented by certification to remove themselves from the minutiae of the NCAA Manual and instead will focus on how they can continually improve the quality of the collegiate experience for student-athletes, for whom their athletics program ought to exist.

Implicit in the notion of continual improvement are continually evolving standards, reflecting progress and change. Perhaps the clearest example of such evolution is the inclusion of a major topic area devoted to the assessment of an institution's commitment to racial and gender equity. As noted, this topic area was not part of the pilot certification program, but recent changes in the awareness of its importance eventually led to its inclusion.

Along the same lines, an NCAA committee appointed to study financial conditions in intercollegiate athletics recently recommended that issues of compensation for athletics department personnel be included in the certification program. In light of huge payments to some coaches for equipment contracts, television and radio programs, and so forth, the committee recommended that institutions be encouraged to study this issue as it relates to institutional control and financial integrity. It is noteworthy that the committee did not recommend NCAA legislation to address the matter.

Though some may interpret the very existence of a 478-page NCAA Manual as an attempt to address every possible circumstance through legislation, the new NCAA certification program may present some hope. Certification is grounded in fundamental operating principles--as opposed to specific

rules--related to issues of institutional control, integrity, and fairness. And the heart of certification, self-study, is by definition designed to stimulate discussion and reflection concerning the proper role of athletics in the academy.

ABOUT THE AUTHOR

Maureen E. Devlin is manager of NCAA Services for the Regulatory Consulting Group of Coopers & Lybrand's Higher Education Practice. She has just completed her work as associate staff director of the Knight Foundation Commission on Intercollegiate Athletics, having spent the two years since the release of the commission's original report working toward the adoption and implementation of the commission's reform model. Prior to joining the Knight Commission staff, Ms. Devlin worked at the NCAA national office as a legislative assistant and compliance representative.

An honors graduate in government from Harvard University, Ms. Devlin also holds a master's degree in sport administration from Penn State, where she was assistant coach of the women's track team. She earned seven varsity letters as an undergraduate and was captain of the women's cross-country ski team for two years. Ms. Devlin is currently a member of the Harvard College Board of Overseers Visiting Committee on Intercollegiate Athletics.

**APPENDIX: KNIGHT COMMISSION STATEMENT OF PRINCIPLES
FOR HIGHER EDUCATION INSTITUTIONS**

Preamble: This institution is committed to a philosophy of firm institutional control of athletics, to the unquestioned academic and financial integrity of our athletics program, and to the accountability of the athletics department to the values and goals befitting higher education. In support of that commitment, the board, officers, faculty, and staff of this institution have examined and agreed to the following general principles as a guide to our participation in intercollegiate athletics:

1. The educational values, practices, and mission of this institution determine the standards by which we conduct our intercollegiate athletics program.
2. The responsibility and authority for the administration of the athletics department, including all basic policies, personnel, and finances, are vested in the president.
3. The welfare, health, and safety of student-athletes are primary concerns of athletics administration on this campus. This institution will provide student-athletes with the opportunity for academic experiences as close as possible to the experiences of their classmates.
4. Every student-athlete--male and female, majority and minority, in all sports--will receive equitable and fair treatment.
5. The admission of student-athletes--including junior college transfers--will be based on their showing reasonable promise of being successful in a course of study leading to an academic degree. That judgment will be made by admissions officials.
6. Continuing eligibility to participate in intercollegiate athletics will be based on students being able to demonstrate each academic term that they will graduate within five years of their enrolling. Students who do not pass this test will not play.
7. Student-athletes in each sport will be graduated in at least the same proportion as nonathletes who have spent comparable time as full-time students.

8. All funds raised and spent in connection with intercollegiate athletics programs will be channeled through the institution's general treasury, not through independent groups, whether internal or external. The athletics department budget will be developed and monitored in accordance with general budgeting procedures on campus.

9. All athletics-related income from nonuniversity sources for coaches and athletics administrators will be reviewed and approved by the university. In cases where the income involves the university's functions, facilities, or name, contracts will be negotiated with the institution.

10. Annual academic and fiscal audits of the athletics program will be conducted. Moreover, this institution intends to seek NCAA certification that its athletics program complies with the principles herein. This institution will promptly correct any deficiencies and will conduct its athletics program in a manner worthy of distinction.